

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

LAVELLE ANTRON COTTON,

Defendant.

CASE NO. MJ 15-318

DETENTION ORDER

Offense charged: Conspiracy to Distribute Methamphetamine; Possession with Intent to Distribute Methamphetamine

Date of Detention Hearing: July 16, 2015.

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Defendant has been charged with a drug offense, the maximum penalty of which is in excess of ten years. There is therefore a rebuttable presumption against defendant as to both

1 dangerousness and flight risk, under 18 U.S.C. § 3142(e).

2 2. Defendant is indicted in connection with a case pending in the District of
3 Montana, CR15-13-M-DLC. The AUSA proffers the charges include a mandatory minimum of
4 10 years, involving a significant amount of methamphetamine. Defendant was convicted in 1995
5 at age 13 of Murder in the First Degree. He remains on community supervision for those charges
6 with the Washington State Department of Corrections. His community corrections officer
7 advises that defendant's adjustment to supervision is "extremely poor", although defendant
8 disputes the factual basis of this assertion. Defendant faces revocation of community supervision
9 if convicted in the instant case.

10 3. Taken as a whole, the record does not effectively rebut the presumption that no
11 condition or combination of conditions will reasonably assure the appearance of the defendant as
12 required and the safety of the community. This matter may be revisited at defendant's first
13 appearance in the District of Montana, at the discretion of that Court.

14 It is therefore ORDERED:

15 1. Defendant shall be detained pending trial and committed to the custody of the Attorney
16 General for confinement in a correction facility separate, to the extent practicable, from
17 persons awaiting or serving sentences or being held in custody pending appeal;

18 2. Defendant shall be afforded reasonable opportunity for private consultation with counsel;

19 3. On order of the United States or on request of an attorney for the Government, the person
20 in charge of the corrections facility in which defendant is confined shall deliver the
21 defendant to a United States Marshal for the purpose of an appearance in connection with
22 a court proceeding; and

23 4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel for

1 the defendant, to the United States Marshal, and to the United State Pretrial Services
2 Officer.

3 DATED this 16th day of July, 2015.

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6 Mary Alice Theiler
United States Magistrate Judge